

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Ethan Waterman	Team: Squad #10	CCRB Case #: 202007100	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Saturday, 10/24/2020 8:30 PM	Location of Incident: South Avenue and Brabant Street	Precinct: 121	18 Mo. SOL 4/24/2022	EO SOL 5/4/2022	
Date/Time CV Reported Sun, 10/25/2020 4:03 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Sun, 10/25/2020 4:03 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. SSA John Todaro	05234	903307	121 PCT
3. PO John Murphy	20986	944718	121 PCT
4. LT Naveed Chaudry	00000	917057	121 PCT
5. POM Christophe Gambardella	29782	966071	121 PCT
6. POM Nicholas Cavalotti	10540	960344	121 PCT
7. SGT Nikolaos Stefopoulos	04686	944294	SRG 5
8. An officer			
9. PO FRANK GREEN	05220	949058	SRG 05

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Joseph Perfetto	03325	949473	121 PCT
2. POM Tommaso Frasca	09755	963524	121 PCT
3. POF Talia Figueroa	26729	965098	121 PCT
4. POM Charles Carlino	03641	941502	121 PCT
5. POM Steven Hernandez	15050	964057	121 PCT
6. SGT Marisol Deleon	01352	928569	121 PCT

Officer(s)	Allegation	Investigator Recommendation
A.LT Naveed Chaudry	Abuse: Lieutenant Naveed Chaudry stopped § 87(2)(b)	
B.PO John Murphy	Abuse: Police Officer John Murphy stopped § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
C.LT Naveed Chaudry	Abuse: Lieutenant Naveed Chaudry stopped § 87(2)(b)	
D.PO John Murphy	Abuse: Police Officer John Murphy stopped § 87(2)(b)	
E.LT Naveed Chaudry	Abuse: Lieutenant Naveed Chaudry stopped § 87(2)(b)	
F.PO John Murphy	Abuse: Police Officer John Murphy stopped § 87(2)(b)	
G. An officer	Abuse: An officer frisked § 87(2)(b)	
H.LT Naveed Chaudry	Force: Lieutenant Naveed Chaudry used physical force against § 87(2)(b)	
I.PO John Murphy	Force: Police Officer John Murphy used physical force against § 87(2)(b)	
J.POM Christophe Gambardella	Force: Police Officer Christophe Gambardella used physical force against § 87(2)(b)	
K.SSA John Todaro	Force: Sergeant John Todaro used physical force against § 87(2)(b)	
L.POM Nicholas Cavalotti	Force: Police Officer Nicholas Cavalotti used physical force against § 87(2)(b)	
M.SGT Nikolaos Stefopoulos	Force: Sergeant Nikolaos Stefopoulos used physical force against an individual.	
N. An officer	Force: An officer used physical force against an individual.	
O.PO FRANK GREEN	Force: Police Officer Frank Green used physical force against an individual.	
P. An officer	Discourtesy: An officer spoke discourteously to individuals.	
Q. Officers	Abuse: Officers frisked § 87(2)(b)	
R. Officers	Abuse: Officers frisked § 87(2)(b)	
S.LT Naveed Chaudry	Abuse: Lieutenant Naveed Chaudry failed to provide § 87(2)(b) with a business card.	
T.PO John Murphy	Abuse: Police Officer John Murphy failed to provide § 87(2)(b) with a business card.	
U.LT Naveed Chaudry	Abuse: Lieutenant Naveed Chaudry failed to provide § 87(2)(b) with a business card.	
V.PO John Murphy	Abuse: Police Officer John Murphy failed to provide § 87(2)(b) with a business card.	
W.LT Naveed Chaudry	Abuse: Lieutenant Naveed Chaudry failed to provide § 87(2)(b) with a business card.	
X.PO John Murphy	Abuse: Police Officer John Murphy failed to provide § 87(2)(b) with a business card.	
§ 87(2)(g), § 87(4-b)		

Case Summary

On October 25, 2020, § 87(2)(b) called the CCRB and filed this complaint as a reporting non-witness on behalf of her son, § 87(2)(b).

On October 24, 2020, at approximately 8:30 p.m., in the vicinity of South Avenue and Brabant Street on Staten Island, § 87(2)(b) was standing with his friends – § 87(2)(b) and § 87(2)(b) – at a bus stop. Police Officer John Murphy and Lieutenant Naveed Chaudry, both of the 121st Precinct, stopped the three (**Allegations A, B, C, D, E, and F Abuse of Authority: Stop,** § 87(2)(g) Officers allegedly frisked § 87(2)(b) (**Allegation G, Abuse of Authority: Frisk,** § 87(2)(g) Lieutenant Chaudry, PO Murphy, Police Officer Christopher Gambardella, Police Officer Nicholas Cavalotti, and Sergeant John Todaro (all of the 121st Precinct) grabbed or pulled § 87(2)(b) to prevent him from leaving (**Allegations H, I, J, K, and L, Force: Physical force,** § 87(2)(g) Sergeant Nikolaos Stefopoulos of Strategic Response Group 5 pushed § 87(2)(b) (**Allegations M, Force: Physical force,** § 87(2)(g) An officer pushed § 87(2)(b) (**Allegation N, Force: Physical force,** § 87(2)(g) Police Officer Frank Green pushed § 87(2)(b) (**Allegation O, Force: Physical Force,** § 87(2)(g) An officer told § 87(2)(b) “Back the fuck up,” and § 87(2)(b) a crowd of people, “Get the fuck out of here” (**Allegation P, Discourtesy: Word,** § 87(2)(g)). Officers allegedly frisked § 87(2)(b) and § 87(2)(b) (**Allegations Q and R, Abuse of Authority: Frisk:** § 87(2)(g) PO Murphy and Lieutenant Chaudry did not provide a business card to § 87(2)(b) or § 87(2)(b) at the conclusion of this incident (**Allegations S, T, U, V, W, and X, Abuse of Authority: Failure to provide RTKA card,** § 87(2)(g).

§ 87(2)(g), § 87(4-b)

No arrests or summonses resulted from this incident.

The investigation received body-worn camera footage regarding this incident, the relevant aspects of which shall be discussed in further detail below (**BR 01-15**).

Findings and Recommendations

Allegation (A) Abuse of Authority: Lieutenant Naveed Chaudry stopped § 87(2)(b)

Allegation (B) Abuse of Authority: Police Officer John Murphy stopped § 87(2)(b)

Allegation (C) Abuse of Authority: Lieutenant Naveed Chaudry stopped § 87(2)(b)

Allegation (D) Abuse of Authority: Police Officer John Murphy stopped § 87(2)(b)

Allegation (E) Abuse of Authority: Lieutenant Naveed Chaudry stopped § 87(2)(b)

Allegation (F) Abuse of Authority: Police Officer John Murphy stopped § 87(2)(b)

§ 87(2)(b) said in his CCRB interview (**BR 16**) that he was with § 87(2)(b) and § 87(2)(b) at approximately 8:30 p.m. on October 24, 2020 at a S46 bus stop, which the investigation determined to be at the southeast corner of Grandview Avenue and Brabant Street in Staten Island. The three had just been hanging out in a nearby park. Two officers, identified by the investigation as Lieutenant Chaudry and PO Murphy, pulled up to the bus stop in an unmarked black Ford sedan and an officer from the sedan asked them if “everything was good.” The three said, “Yes.” The officer said, “Just making sure” before adding, “We have to tell you something.” The three replied that they did not have to tell them anything and proceeded to walk to the S48 bus stop at the southeast corner of South Avenue and Brabant Street. Lieutenant Chaudry and PO Murphy followed them in their vehicle to the S48 bus stop. Four unmarked vans arrived at the location. Officers then approached the three boys and told them that they needed to speak to them.

The investigation was unable to contact § 87(2)(b) regarding this incident.

§ 87(2)(b)'s mother, declined to make him available for this incident.

PO Perfetto's (**BR 18**) and Sergeant Todaro's (**BR 17**) testimonies are generally consistent and thus shall be discussed together. In their CCRB interviews, PO Perfetto and Sergeant Todaro told the investigation that at approximately 8:20 p.m., they were in the vicinity of Harbor Road and Brabant Street in Staten Island observed an SUV pull into the driveway of a private residence. The

two saw four black males, all approximately 15-18 years old, exit the SUV and walk away from the vehicle. Sergeant Todaro described the attire of three of the males as follows: one male wore a blue sweatsuit, another wore a black sweatsuit, and another wore a grey or white sweatsuit. PO Perfetto described the attire of two of the males as follows: one wore a black sweatsuit and another wore an all-grey sweatsuit. The apparent homeowner of the private residence came outside and told PO Perfetto and Sergeant Todaro that the parked SUV was not his car. PO Perfetto told the investigation that he ran the license plate for the SUV and discovered it was stolen. The homeowner showed the two officers images from his Ring camera that captured the four black males. Sergeant Todaro and PO Perfetto put a description over the radio of the four males that they saw with the vehicle and their direction of flight. Sergeant Todaro put the description over the radio for the officers to conduct a canvass of the area.

At 8:20 p.m., an EVENT regarding a vehicle larceny in progress was created on the authority of Sergeant Todaro (**BR 19, BR 38**). The EVENT description, which is based off information Sergeant Todaro provided over the radio: “looking for [males] ... in [regards] to [vehicle larceny in progress] ... [stolen vehicle] ... perp fled [from] Union [Avenue] ... [possibly] going [towards] ... Harbor Rd/Brabant ... 4 [male black] ... 1 [wearing] all [grey] jump suit ... 2nd [wearing] all [white] or [grey] jumpsuit ... navy [blue] hoodie ... [baseball] cap [with] orange symbol ... [white sneakers]... all [approximately] 16-18 [years old]...”

To return to PO Perfetto’s and Sergeant Todaro’s CCRB statements: within minutes of putting the description over the radio, they received a call from another unit. The unit, which listed its location as South Avenue and Brabant Street (approximately three to four blocks away from where the stolen car had been abandoned), told the officers that there was a group of teenagers who matched the description put over the radio. The unit asked PO Perfetto and Sergeant Todaro to come to the location to verify whether the teenagers were the suspected perpetrators of the car theft.

Lieutenant Chaudry’s (**BR 20**) and PO Murphy’s (**BR 21**) testimonies are generally consistent and thus shall be discussed together. In their CCRB interviews, Lieutenant Chaudry and PO Murphy said that they were patrolling when they received a phone call from PO Perfetto and Sergeant Todaro. In sum and substance, PO Perfetto and Sergeant Todaro told Lieutenant Chaudry and PO Murphy that four teenage males had fled from a stolen vehicle in the vicinity of Union Avenue and Journey Street in Staten Island. Lieutenant Chaudry recalled the description provided as follows: four teenaged males who went towards Harbor Road and Brabant Street, one wearing white sneakers, one wearing a dark or navy blue sweatshirt, one wearing a grey or white sweatshirt. PO Murphy recalled the description provided as follows: four black males, one wearing a black jumpsuit (a jumpsuit comprising either a jacket and pants or a hoodie and pants), one wearing a grey jumpsuit (which, given the time of evening and lighting conditions, could have been black), one wearing white sneakers, and one wearing a black jumpsuit. PO Perfetto and Sergeant Todaro told the officers that they provided these descriptions based off Ring camera footage they reviewed at the location of the stolen car. Lieutenant Chaudry and PO Murphy then canvassed the area. PO Murphy saw three male teenagers who appeared to be between the ages of 14 and 18 years old standing by a bus stop at Grandview Street and Brabant Street, approximately three to four blocks away from where the stolen vehicle had been abandoned. Lieutenant Chaudry said that two of the males wore dark clothing whereas the third wore a white sweatshirt. Lieutenant Chaudry also said that at least one of the males wore white sneakers. PO Murphy said that the three males all had dark hoodies and dark pants, two of them wore white sneakers, and one of the three individuals had a white symbol on their dark hoodie. Both officers said that these three males matched the description provided by PO Perfetto and Sergeant Todaro. Lieutenant Chaudry and PO Murphy drove by the teenagers on Grandview Street before pulling a U-turn. The three males were no longer at the bus stop. Lieutenant Chaudry and PO Murphy proceeded to drive towards South Avenue on Brabant Street. PO Murphy saw the teenagers at another bus stop on the southeast corner of South Avenue and Brabant Street. PO Murphy exited the car and approached the teenagers. At this point, PO Murphy was conducting a level 3 Terry stop (the three individuals matched the description and

where in the proximity of the location of the grand larceny auto). PO Murphy asked the three individuals to stand with him until another officer could come by. Lieutenant Chaudry told PO Perfetto that he had found three males who might match the description, hung up the phone, and exited the car.

PO Murphy and Sergeant Todaro prepared three stop reports regarding this incident (**BR 22**). For all three reports, the narrative is the same: “At [8:24 p.m. at South Avenue and Brabant Street] while canvassing for a 10-32 of a vehicle at Harbor Rd. and Brabant St.,] description read 4 male Blacks approximately 16-18 years old[,] one wearing all grey jumpsuit[,] the second wearing all white or grey jumpsuit[,] third wearing a black jumpsuit with white sneakers white symbol on baseball cap and they fled on Brabant from Harbor Road towards Mariners Harbor. Undersigned did observe 3 [Black males] 3pprox.. 17 [years] old[,] two wearing all black jumpsuits and one wearing a gray hooded sweatshirt C/O South Avenue and Brabant which is three blocks away from occurrence. All three suspects were stopped in regards yielding negative results.” The stop reports also list the stop being based on a radio run, that the crime suspected was grand larceny auto, and that the factors leading to the stop were: “matches a specific suspect description, proximity to the scene of a crime.”

PO Murphy’s BWC (**BR 01**) between the 01:00 and 01:10 timestamps confirm that the clothing description as noted in the stop reports is generally accurate. One young black male wore a black North Face hoodie and dark sweatpants. Another young black male wore a white hoodie, dark pants, and white sneakers. The third young black male wore a black hoodie and dark pants. All three had their hoods up. The primary difference between what is shown on BWC and what is described in the stop reports is that BWC does not show any of the three teenagers to be wearing hats.

Per *People v. Peterson 110 A.D. 3d 1103* (**BR 23**), officers have reasonable suspicion to stop individuals based on the general similarity of the individual’s physical characteristics to the description of the offender broadcast in police radio calls, and the observation of the individual in close spatial and temporal proximity to the crime.

§ 87(2)(b), § 87(2)(g)

Allegation (G) Abuse of Authority: An officer frisked § 87(2)(b)

Allegation (Q) Abuse of Authority: Officers frisked § 87(2)(b)

Allegation (R) Abuse of Authority: Officers frisked § 87(2)(b)

In his CCRB interview (**BR 16**), § 87(2)(b) alleged that when officers first stopped everyone, a white officer with short hair patted down § 87(2)(b) on the chest and stomach. The officer did not go into § 87(2)(b)’s pockets but patted down the outside of his pockets. § 87(2)(b) saw a pair of white officers pat down § 87(2)(b) after pushing him against the trunk of a police car. The two officers patted him down on the stomach, chest, back and legs. § 87(2)(b) saw two to three officers pat down § 87(2)(b) on the stomach, chest, back and legs.

The stop reports prepared by PO Murphy and Sergeant Todaro (**BR 22**) noted that none of the stopped individuals were frisked.

In their CCRB interviews, Lieutenant Chaudry (**BR 20**) and PO Murphy (**BR 21**) said they never frisked anyone during this incident, nor did they see any other officers do so.

The investigation received 13 BWC videos regarding this incident, and in combination they capture the entire incident (**BR 01, 14**). While several officers grab the three to stop them from

leaving the scene prior to the conclusion of the stop (see **Allegations E, F, G, H, and I**), no officer ever frisks § 87(2)(b) or § 87(2)(b)

§ 87(2)(g)

Allegation (H) Force: Lieutenant Naveed Chaudry used physical force against § 87(2)(b)

Allegation (I) Force: Police Officer John Murphy used physical force against § 87(2)(b)

Allegation (J) Force: Police Officer Christopher Gambardella used physical force against § 87(2)(b)

Allegation (K) Force: Sergeant John Todaro used physical force against § 87(2)(b)

Allegation (L) Force: Police Officer Nicholas Cavalotti used physical force against § 87(2)(b)

Allegation (M) Force: Sergeant Nikolaos Stefopoulos used physical force against § 87(2)(b)

Allegation (N) Force: An officer used physical force against § 87(2)(b)

Allegation (O) Force: Police Officer Frank Green used physical force against § 87(2)(b)

In his CCRB interview (**BR 16**), § 87(2)(b) alleged that two officers pulled and twisted his arms behind his back in an attempt to place him in handcuffs. Each officer was twisting one of § 87(2)(b)'s arm and trying to form his arms behind his back. § 87(2)(b) felt pain in his upper arms by his shoulders. § 87(2)(b) contemporaneously complained of pain to his arms. § 87(2)(b) also saw officers twisting and bending § 87(2)(b)'s and § 87(2)(b)'s arms behind their backs. § 87(2)(b) contemporaneously complained of pain to his arms. § 87(2)(b) also watched two officers push § 87(2)(b) on his chest against the trunk of a police car.

In his CCRB interview (**BR 20**), Lieutenant Chaudry said that he and PO Murphy grabbed the teenagers by the arms to keep them on-scene; they were not free to leave until PO Perfetto could verify whether they were the alleged perpetrators of the auto theft. The teenagers tried to flee the scene for the entire incident.

In his CCRB interview (**BR 21**), PO Murphy said that he grabbed two of the teenagers by their arms because they tried to walk away from him when he first initiated the stop.

In their CCRB interviews (**BR 17, 18, 24**), Sergeant Todaro, PO Perfetto, and PO Green cited that there was a crowd present interfering with the stop. Sergeant Todaro noted that the crowd tried to pull the teenager in the white hoodie away from the officers. PO Perfetto noted that the crowd yelled at the officers on-scene. PO Green noted that the crowd had fully surrounded officers, while some members of the crowd ignored orders to get back and approached officers with clenched fists and puffed-out chests. PO Green noted that he guided and pushed some members of the crowd after they ignored orders to back away from the officers.

Per Sergeant Todaro's BWC (**BR 01**), he arrives at the scene at the 04:05 timestamp. As he exits the car, it is apparent that several officers, including Lieutenant Chaudry and PO Murphy, hold onto the arms of a teenager in a white hoodie: the investigation has determined this individual to be § 87(2)(b) steps back and moves his torso to evade the grasp of officers. At the 04:13 timestamp, Sergeant Todaro grabs onto the teenager's right arm. The teenager says repeatedly, "Stop touching me" while Sergeant Todaro responds by saying, "Relax" and another officer says, "We're conducting an investigation." § 87(2)(b) continues to try to pull away from Sergeant Todaro's grasp. PO Murphy puts his left hand on the chest of § 87(2)(b) to stop him from moving. § 87(2)(b) again tries to pull away from the officers. A black female teenager also yells at officers and physically places herself between § 87(2)(b) and several other officers. This goes on for more than a minute and § 87(2)(b) continues to attempt to pull away from officers. The teenagers are free to go at the 06:03 timestamp.

Per PO Murphy's BWC (**BR 01**), PO Murphy places his right hand on the chest of § 87(2)(b) at the 01:34 timestamp. At the 01:36 timestamp, PO Murphy's BWC falls off, but from

the vantage point of the asphalt one can see § 87(2)(b) back away from police officers. At 03:04, after PO Murphy has put his BWC back on, a male teenager in a black North Face hoodie reaches between Sergeant Todaro and § 87(2)(b) Sergeant Stefopoulos pushes this teenager back.

Per Lieutenant Chaudry's BWC (**BR 01**), he grabs the arm of the teenager in the black North Face hoodie at 01:33 but the teenager continues to walk away from him.

Per PO Gambardella's BWC (**BR 01**), he grabs the arm of § 87(2)(b) at the 01:12 timestamp as § 87(2)(b) tries to walk away. PO Gambardella says repeatedly, "Just stay here." It is clear through the 03:30 timestamp that § 87(2)(b) physically attempts to evade police custody, and that at least three women actively intervene in the police investigation by standing between officers and the three stopped individuals.

Per PO Cavalotti's BWC (**BR 01**), he immediately comes to assist Sergeant Todaro in restraining § 87(2)(b) at the 01:10 timestamp. When § 87(2)(b) tries to jump-step away from officers at 01:30, PO Cavalotti holds onto § 87(2)(b)'s waist to prevent him from moving.

Per Sergeant Stefopoulos' BWC (**BR 14**), he pushes the teenager in the black North Face hoodie three times between 01:00 and 01:25 timestamps, prefacing each push with commands to "Back up," commands with which the teenager does not comply. Another Strategic Response Group officer then pushes the teenager in the black North Face once after prefacing that push with a "Back up" command with which the teenager does not comply. Between the 01:40 and 01:50 timestamps, PO Green twice pushes § 87(2)(b) in a black sweatshirt while telling the individual to back up; the individual responds both times by jutting his chest forward and raising his hands.

The investigation requested BWC from all SRG 5 Staten Island officers and returned negative results absent that of Sergeant Stefopoulos (**BR 25**).

None of the BWCs capture the nameplate, tax number, or shield of the SRG officer who pushed the teenager in the black North Face hoodie.

In none of the BWCs do officers attempt to place any of the stopped individuals in handcuffs.

Per Patrol Guide Procedure 221-01 (**BR 26**), members of service must consider the following criteria regarding the reasonable use of force: the nature and severity of the crime/circumstances; actions taken by the subject; duration of the action; immediacy of the perceived threat or harm to the subject, and/or bystanders; whether the subject is actively resisting custody; whether the subject is attempting to evade arrest by flight; number of subjects in comparison to the MOS; subject's violent history, if known; presence of hostile crowd or agitators; subject apparently under the influence of a stimulant/narcotic which would affect pain tolerance or increase the likelihood of violence.

§ 87(2)(b), § 87(2)(g)

§ 87(2)(g)

Allegation (P) Discourtesy: An officer spoke discourteously to individuals.

These allegations originate from BWC review. Per Sgt. Stefopoulos' BWC (**BR 14**), at the 01:40 timestamp, a voice says, "Back the fuck up," twice. Per Lieutenant Chaudry's BWC (**BR 01**),

at the 03:50 timestamp, a voice tells the dispersing crowd, “Get the fuck out of here.” While both statements are audible in the BWC, neither BWC captures the individual making these statements.

As noted above, the investigation received 13 BWC videos regarding this incident. In none of the videos do the recorders make these statements.

The investigation interviewed PO Green as a potential subject for both statements, as he did not activate his BWC during this incident (see **Allegation Z**) and was present on-scene when both statements were made. In his CCRB interview (**BR 24**), PO Green said that he did not recall using any profanity during this incident and did not remember saying specifically “Back the fuck up” or “Get the fuck out of here.” After reviewing the BWCs that capture these allegations, PO Green said that he did not believe it was his voice that made these statements and did not know whose voice it could be.

§ 87(2)(g)

Allegation (S) Abuse of Authority: Lieutenant Naveed Chaudry failed to provide § 87(2)(b) with a business card.

Allegation (T) Abuse of Authority: Police Officer John Murphy failed to provide § 87(2)(b) with a business card.

Allegation (U) Abuse of Authority: Lieutenant Naveed Chaudry failed to provide § 87(2)(b) with a business card.

Allegation (V) Abuse of Authority: Police Officer John Murphy failed to provide § 87(2)(b) with a business card.

Allegation (W) Abuse of Authority: Lieutenant Naveed Chaudry failed to provide § 87(2)(b) with a business card.

Allegation (X) Abuse of Authority: Police Officer John Murphy failed to provide § 87(2)(b) with a business card.

It was undisputed that no one received a business card regarding this incident.

In his CCRB interview (**BR 20**), Lieutenant Chaudry said that towards the end of the stop, he feared that he was losing control of the scene. While additional officers had arrived, the stopped individuals continued to try to break away from officers while the crowd infiltrated the officers’ perimeter – one woman was able to walk through all the officers and speak face-to-face with one of the stopped individuals. Thus, once PO Perfetto confirmed that the three stopped individuals were not the ones captured on the Ring camera footage, Lieutenant Chaudry ordered officers to get back in their cars and leave the scene. The stopped teenagers did not receive any business cards – as they were trying to break away from the officers to leave, as they wanted nothing to do with officers, there was no opportunity to provide business cards to the teenagers. The crowd further complicated things: they represented a threat to public safety, a threat to which Lieutenant Chaudry responded by ordering the officers back in their cars and to leave the scene.

The stop reports prepared by PO Murphy and Sergeant Todaro noted that business cards were not offered to the persons stopped because they walked away from officers (**BR 22**).

Per PO Cavalotti’s BWC at the 01:55 timestamp (**BR 01**), the teenagers and the crowd – which numbered about seven or eight people – walked away immediately upon being allowed to leave and continued to yell at officers while walking away.

Per New York City Administrative Code 14-174 (BR 39), officers are to offer a business card at the conclusion of a stop. Per Patrol Guide Procedure 203-09 (BR 27), officers are to offer a business card at the conclusion of a stop except when exigent circumstances are present. Examples of exigent circumstances include physical resistance, flight, imminent danger of physical injury or damage to property, or other factors that may make such a procedure impractical.

§ 87(2)(b), § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g), § 87(4-b)

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) has been a party (**BR 29**).
- This is the first complaint to which § 87(2)(b) has been a party (**BR 30**).
- This is the first complaint to which § 87(2)(b) has been a party (**BR 31**).
- This is the first complaint to which § 87(2)(b) has been a party (**BR 32**).
- Lieutenant Chaudry has been a member of service for 25 years and has been a subject in four CCRB complaints and five allegations, none of which were substantiated. § 87(2)(g)
- PO Cavalotti has been a member of service for five years and has been a subject in two CCRB complaints and four allegations, none of which were substantiated. § 87(2)(g)
- PO Gambardella has been a member of service for three years and this is the first CCRB complaint to which he has been a subject.
- PO Murphy has been a member of service for 14 years and has been a subject in four CCRB complaints and 10 allegations, none of which were substantiated. § 87(2)(g)
- Sergeant Stefopoulos has been a member of service for 14 years and has been a subject in 16 CCRB complaints and 59 allegations, eight of which were substantiated or cited.
 - 201409178 involved substantiated allegations of force – hit against inanimate object, threat of force (verbal or physical), and discourtesy – word. The Board recommended charges and Sergeant Stefopoulos was found not guilty at trial.
 - 201411079 involved substantiated allegations of a frisk and search (of person). The Board recommended Command Discipline A and the NYPD imposed formalized training.
 - 201608641 involved a substantiated allegation of a stop as well as citations for failure to document strip search and failure to produce stop and frisk report. The Board recommended and the NYPD imposed Command Discipline A.
 - § 87(2)(g)

- § 87(2)(g)

Mediation, Civil, and Criminal Histories

- § 87(2)(b) [REDACTED]
- § 87(2)(b) [REDACTED]
- [REDACTED]
- [REDACTED]

Squad: 10

Investigator:	<u>Ethan C. Waterman</u>	<u>Inv. Ethan Waterman</u>	<u>02/01/2022</u>
	Signature	Print Title & Name	Date

Squad Leader: _____

Signature	Print Title & Name	Date
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Reviewer: _____

Signature	Print Title & Name	Date
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